

Message

From: Kerry Callahan [KerryC@astswmo.org]
Sent: 9/17/2018 6:54:41 PM
To: Hillyer, Kirsten [hillyer.kirsten@epa.gov]; Jackson, Mary [Jackson.Mary@epa.gov]
CC: Bonnie Buthker [bonnie.buthker@epa.ohio.gov]; Devlin, Betsy [Devlin.Betsy@epa.gov]; Mooney, Susan [mooney.susan@epa.gov]
Subject: RE: Federal CCR rule - couple questions on applicability

Hi Kirsten,

Thanks for taking my call this afternoon about the questions that I'd forwarded. We know things are in a state of flux and appreciate the information you were able to provide, which I've conveyed to Bonnie Buthker.

Kerry

From: Kerry Callahan
Sent: Monday, September 17, 2018 9:47 AM
To: 'Jackson, Mary' <Jackson.Mary@epa.gov>; 'Hillyer, Kirsten' <Hillyer.Kirsten@epa.gov>
Cc: Bonnie Buthker <bonnie.buthker@epa.ohio.gov>
Subject: FW: Federal CCR rule - couple questions on applicability

Hi Mary and Kirsten,

Bonnie Buthker has a couple of questions about the recent CCR court decision, which I'm forwarding below. She sent them to Betsy and Susan Mooney on Friday, but I thought you also might be able to assist Bonnie.

I also have a general question - has EPA done an interpretation of the court decision that is available?

Thanks much.

Kerry

Kerry Callahan
ASTSWMO staff

From: Buthker, Bonnie
Sent: Friday, September 14, 2018 10:49 AM
To: 'mooney.susan@epa.gov' <mooney.susan@epa.gov>; 'Devlin, Betsy' <Devlin.Betsy@epa.gov>
Subject: Federal CCR rule - couple questions on applicability

Susan and Betsy:

Hope both of you are doing well.

I wanted to ask if EPA has reviewed the DC Circuit Court decision on CCR and can provide any guidance on how this decision impacts the following:

1. Are inactive surface impoundments that were previously exempt from the CCR rule now going to be subject to that rule?
2. Does this decision also impact the extension of the deadline for closure of unlined surface impoundments that was included in the Phase One Amendments to the 2015 EPA Coal Combustion Residuals (CCR) Rule were

published in the July 30, 2018 Federal Register? I read through the decision, and it's confusing, but the E&E Daily article seemed to indicate these extensions were also impacted by the Judge's rule.

Please let me know. If you would also rather give me a call to discuss, you can reach me at the number below.

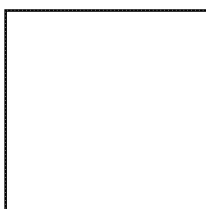
Thanks much,

Bonnie

Bonnie B. Buthker
Chief, Southwest District Office
Ohio EPA
401 E. Fifth Street
Dayton, OH 45402

Ex. 6 PP / Ex. 7(C)

Email: bonnie.buthker@epa.ohio.gov



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